

## Assembly Bill No. 928

### CHAPTER 391

An act to amend Section 499b of the Penal Code, relating to vessels.

[Approved by Governor September 16, 2003. Filed  
with Secretary of State September 17, 2003.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 928, Pacheco. Theft: vessels.

Existing law provides that any person who shall, without the permission of the owner thereof, take any bicycle or motorboat or vessel, for the purpose of temporarily using or operating the same, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$400, or by imprisonment not exceeding 3 months, or by both that fine and imprisonment.

This bill would provide that any person who, without the permission of the owner thereof, takes any motorboat or vessel, for the purpose of temporarily using or operating the same, is guilty of a misdemeanor, punishable by a fine not exceeding \$1,000, or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

By increasing the term of imprisonment in a county jail for an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 499b of the Penal Code is amended to read:

499b. (a) Any person who shall, without the permission of the owner thereof, take any bicycle for the purpose of temporarily using or operating the same, is guilty of a misdemeanor, and shall be punishable by a fine not exceeding four hundred dollars (\$400), or by imprisonment in a county jail not exceeding three months, or by both that fine and imprisonment.

(b) Any person who shall, without the permission of the owner thereof, take any vessel for the purpose of temporarily using or operating

the same, is guilty of a misdemeanor, and shall be punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

